

Before the
Federal Communications Commission
Washington, D.C. 20554

MAILED
APR - 4 2007

In the matter of

Amendment of Section 73.202(b)
FM Table of Allotments,
FM Broadcast Stations.
(Kiowa, Kansas)

)
)
) MB Docket No. 05-228
) RM-I 1255
)
)
)

REPORT AND ORDER
(Proceeding Terminated)

Adopted: March 28, 2007

Released: March 30, 2007

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of Charles Crawford, ("Petitioner") requesting the allotment of Channel 233A at Kiowa, Kansas, as the community's second local FM transmission service. Petitioner did not file comments reiterating its continuing interest in applying for Channel 233A at Kiowa. No other comments or counterproposals were received.

2. As stated in the Notice, a showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. Therefore, since no such continuing interest has been expressed for an allotment at Kiowa, Kansas, we will dismiss Petitioner's proposal.

3. **This** document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this Report and Order to Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A) because the proposed rule is dismissed.)

4. In view of the above, **IT IS ORDERED** That the Petition for Rule Making ~~filed~~ by Charles Crawford (MB Docket No. 05-228, RM-11255), requesting the allotment of Channel 233A at Kiowa, Kansas, IS DISMISSED.

5. **IT IS FURTHER ORDERED**, That this proceeding **IS TERMINATED**.

¹ See *Kiowa, Kansas*, 20 FCC Rcd 12173 (MB 2005).

6. For further information concerning this proceeding, contact **Helen** McLean, Media Bureau, **(202)418-2738**.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
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